

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

Andres De Leon Castro,	)	
	)	
Petitioner,	)	Case No. 25-11430
	)	
v.	)	<b>PETITION FOR WRIT OF</b>
	)	<b>HABEAS CORPUS</b>
	)	
PATRICIA HYDE, Field Office Director,	)	
MICHAEL KROL, HSI New England Special	)	
Agent in Charge, and TODD LYONS, Acting	)	
Director U.S. Immigrations and Customs	)	
Enforcement, and KRISTI NOEM, U.S. Secretary	)	
of Homeland Security,	)	
	)	
Respondents.	)	
	)	

---

**INTRODUCTION**

1. Petitioner Andres De Leon Castro is a Guatemalan national with a pending application for Asylum, Withholding of Removal, and protection under the Convention Against Torture before the Boston Immigration Court. On information and belief, He was unlawfully detained by federal immigration agents on or about May 15, 2025.
2. Accordingly, to vindicate Petitioner's constitutional rights, this Court should grant the instant petition for a writ of habeas corpus.
3. Petitioner asks this Court to find that he was unlawfully detained and order his release.

**JURISDICTION**

4. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus) and 28 U.S.C. § 1331 (federal question).
5. Venue is proper because Petitioner resides and was detained in Plymouth, MA, and on information and belief is detained in the District of Massachusetts.

**PARTIES AND FACTS ALLEGED**

6. The Petitioner, Andres De Leon Castro, was born in Guatemala on June 23, 1977. He currently resides in New Bedford, Massachusetts.
7. Respondent Patricia Hyde is the New England Field Office Director for U.S. Immigration and Customs Enforcement.
8. Respondent Michael Krol is the New England Special Agent in Charge for Homeland Security Investigations for U.S. Immigration and Customs Enforcement.
9. Respondent Todd Lyons is the Acting Director for U.S. Immigration and Customs Enforcement.
10. Respondent Kristi Noem is the U.S. Secretary of Homeland Security.
11. All respondents are named in their official capacities.
12. On September 9, 2023, Petitioner was issued a Notice to Appear and placed in full removal proceedings under Section 240 of the INA. Petitioner timely filed an application for Asylum, Withholding of Removal, and Protection under the Convention Against Torture on August 13, 2024. He was issued a valid Employment Authorization Document on February 12, 2025. Petitioner is scheduled for a Master Calendar Hearing before the Boston Immigration Court on July 15, 2026.
13. On information and belief, petitioner was detained without cause by U.S. Immigration and Customs Enforcement agents on May 15, 2025.
14. On information and belief, petitioner signed papers agreeing to be deported under duress, having been threatened with the prospect of being subjected to environmental conditions which would adversely affect his health.

15. On information and belief, Petitioner is currently in custody in the District of Massachusetts, and one or more of the Respondents is his immediate custodian.

**CLAIMS FOR RELIEF**

**COUNT ONE**

**Violation of Fifth Amendment Right to Due Process**

1. On information and belief, Petitioner is currently being arrested and detained by federal agents without cause and in violation of his constitutional rights to due process of law.

**PRAYER FOR RELIEF**

Wherefore, Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter;
- (2) Order that Petitioner shall not be transferred outside the District of Massachusetts;
- (3) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
- (4) Declare that the Petitioner's detention violates the Due Process Clause of the Fifth Amendment.
- (5) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately.
- (6) Grant any further relief this Court deems just and proper.

Respectfully submitted,  
On behalf of the Petitioner

Date: May 20, 2025

---

/s/ David Rossman  
David Rossman  
BBO # 430560  
115 Dickerman Rd  
Newton Hlds MA 02461  
(617) 353-5011  
drossman@bu.edu